

REMARKS

Claims 1-68 are currently pending. Claims 43-68 are canceled without prejudice to Applicant's right to prosecute these claims in one or more related applications. New claims 69-70 are added. Upon entry of this Preliminary Amendment, claims 1-42 and 69-70 will be pending. Support for new claim 69 is found, for example, at page 7, lines 12-18 of the specification and in FIG. 2. Support for new claim 70 is found, for example, at page 7, lines 19-21 of the specification and in FIG. 2.

No new matter has been added by these amendments. Entry of the foregoing amendments is respectfully requested.

In the Office Action mailed February 4, 2005, the Examiner has imposed a Restriction Requirement requiring election of one of the following groups of claims:

Group I: Claims 1-33, drawn to a microarray cartridge, classified in class 436, subclass 514.

Group II: Claims 34-42, drawn to a microarray cartridge, classified in class 422, subclass 58.

Group III: Claims 43-68, drawn to a method of processing a microarray of biological probes, classified in class 435, subclass 7.9.

Applicant hereby provisionally elects with traverse Group I, including claims 1-33 and new claims 69-70 which depend from claim 1. Claims 43-68 of Group III have been canceled without prejudice to Applicant's right to prosecute these claims in one or more related applications.

Applicant respectfully requests that the Examiner withdraw the restriction between groups I and II. Applicant points out that searching and examining Groups I and II would not be unduly burdensome.


CONCLUSION

Applicant respectfully requests entry of the foregoing amendments and remarks into the file of the above-identified application. Applicant further requests that the Examiner withdraw the Restriction Requirement between Groups I and II, and proceed with examination of claims 1-42 and 69-70.

It is believed that no fee is due in connection with the filing of this response.
However, should the Commissioner determine otherwise, the Commissioner is authorized to charge any underpayment or credit any overpayment to Jones Day Deposit Account No. 503013, referencing Docket No. 9301-171-999 (301891-999163), for the appropriate amount.

Respectfully submitted,

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Enclosures